IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:- 04.04.2006

Coram:-

The Hon'ble Mr. Justice P.SATHASIVAM
and
The Hon'ble Mr. Justice J.A.K.SAMPATHKUMAR

Habeas Corpus Petition No.322 of 2006

K.Riaz Ahamed ... Petitioner

Vs.

1.The State of Tamil Nadu,
rep. by Inspector of Police,
Punjai Puliampatty Police Station,
Erode District.

2.K.Ramasamy

3.R.Kathiresan

4.Gunasekar ... Respondents

Petition under Article 226 of the Constitution of India for the issuance of a Writ of Habeas Corpus to direct the respondents to produce the detenue R.Anitha daughter of K.Ramasamy and the wife of the petitioner before this Court and set her at liberty.

For Petitioner : Mr.K. Selvaraj
For 1st Respondent : Mr.Abudhukumar Rajarathinam
Govt. Advocate (Crl. Side)

For respondents 2 to 4 : Mr.P.V.Balasubramanian

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O R D E R

(Order of the Court was made by P.SATHASIVAM, J.)

The petitioner by name K.Riaz Ahamed has filed this petition seeking direction to the respondents for production of his wife viz., R. Anitha, D/o Ramasamy before this Court and set her at liberty.

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2. Pursuant to the direction of this Court, the detenu by name R.Anitha appeared before us. We enquired her. According to her, she is aged about 20 years and her date of birth being 27.05.1985, she is a major. Though in the petition, the petitioner has averred that he married the detenue R.Anitha, in the enquiry before us, she asserted that he is only a friend and she denied the allegations made in the affidavit. She also asserted that at present she is living with her father K.Ramasamy, the second respondent herein and continues to live with him only.

3. In the light of the above assertion and the statement and of the fact that the detenue being a major, we are satisfied that she is not in illegal custody of any one including the second respondent. The petition is disposed of accordingly.

raa

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

To

1.The Inspector of Police, State of Tamil Nadu, Punjai Puliampatty Police Station, Erode District.

2. The Public Prosecutor, High Court, Madras.

+ 1 cc to Mr.P.V. Balasubramaniam, Advocate SR No.16911

+ 1 cc to Mr.K. Selvaraj, Advocate SR No.17165

NG(CO)
SR/10.4.2006

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